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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,320	02/25/2004	Scott Mayhew	2004P02542US (00355P0124U)	2646
7590 07/21/2009 Elsa Keller SIEMENS CORPORATION Intellectual Property Dept. 170 Wood Avenue South Iselin, NJ 08830			EXAMINER MCCLLOUD, RENATA D	
			ART UNIT 2837	PAPER NUMBER
			MAIL DATE 07/21/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/786,320	Applicant(s) MAYHEW ET AL.	
	Examiner RENATA MCCLOUD	Art Unit 2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-5,7,8,10-15,17,18,19-27 rejected under 35 U.S.C. 102(b) as being anticipated by Farag et al (US 5206572)

Claims 1,11,21: a motor controller system, comprising: a motor controller including solid state switches (fig 1:105-108; fig 3:TR1-TR3, col. 16:6-26 triacs may be used) for controlling application of power to a motor (101), and a control circuit for controlling operation of the solid state switches (fig 1:105-108; fig 3:TR1-TR3, col. 16:6-26 triacs may be used), the control circuit comprising a programmed processor (123; col. 4:33-43, col. 16:6-26) for commanding operation of the solid state switches (fig 1:105-108; fig 3:TR1-TR3, col. 16:6-26 triacs may be used), and a memory (col. 4:33-43; 5: 15-36) connected to the programmed processor (123) storing parameters relating to operation of the solid state switches (col. 4:33-43, operating program; col. 5: 15-36; 16:6-26), and an interface circuit (115; col. 10:38-45,SCI) operatively connected to the programmed processor (123); an external configuration device (125; col. 4:50-58) including a memory for storing parameters relating to operation of the solid state switches and an interface for communication with the motor controller (col. 4: 50-58, computer intelligence; col. 10:38-11:25, 11:50-61, 16:42-59); and means (127, col. 10:38-60,SCI) operatively associated with the programmed processor (123) and the external configuration device (125) for transferring a configuration database file between the controller memory (123) and the external device memory (125) the configuration database file comprising a plurality of the stored parameters

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relating to operation of the solid state switches (col. 10:38-11:25, 11:50-61, 16:6-59, 17:59-18:15).

Claims 2,12, 22: wherein the parameters stored in the external device memory define the configuration database file to be transferred to the controller memory (col. 10:38-11:25)..

Claims 3, 13,23: the transferring means comprises means (127) for downloading the configuration database file from the external device memory to the controller memory (col. 10:38-11:25). .

Claims 4, 14, 24: the transferring means comprises means (127) for uploading the configuration database file from the controller memory to the external device memory (col. 10:38-11:25).

Claims 5,15, 25: the transferring means further comprises means (127) for subsequently downloading the uploaded configuration database file from the external device memory to the controller memory (col. 10:38-11:25).

Claims 7, 17,26: the external device memory stores a plurality of pre-configured database files (col. 11:8-25).

Claims 8 18,27: the transferring means comprises downloading a select one of the pre-configured database files from the external device memory to the controller memory (col. 11:8-25).

Claims 10, 20:a wired communication path (127) between the programmed processor and the external device.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6, 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Farag et al in view of Perholtz et al (US 5732212)

Claims 6, 16: Farag et al teach the limitations of claims 4, 14. Referring to claims 6, 16, they do not teach a printer operatively associated with the external device for printing a listing of the uploaded configuration database file. Perholtz et al teach a printer operatively associated with an external device for printing a listing of the uploaded configuration database file (col. 48:28-46). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus taught by Farag et al to have a printer as taught by Perholtz et al in order to allow a user to manage the system.

4. Claims 9, 19 rejected under 35 U.S.C. 103(a) as being unpatentable over Farag et al in view of Kawai (US 6144183)

Claims 9, 19: Farag et al teach the limitations of claims 1, 11. Referring to claims 9, 19, they do not teach an infrared communication path between the programmed processor and the external device. Kawai teaches an infrared communication path (fig. 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus taught by Farag et al to have an infrared communications path as taught by Kawai in order to allow wireless communication with little interference.

Response to Arguments

Applicant's arguments filed 01/05/09 have been fully considered but they are not persuasive. In response to applicant's argument that Farag et al do not teach "providing the

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motor controller to include solid state switches for controlling application of power to the motor," and "transferring a configuration database file between the controller memory and the external device memory, the configuration database file comprising a plurality of stored parameters relating to operation of the solid state switches", Farag et al teach providing the motor controller to include solid state switches for controlling application of power to the motor, (fig 1:105-108; fig 3:TR1-TR3, col. 16:6-26 triacs may be used), and transferring a configuration database file between the controller memory and the external device memory, the configuration database file comprising a plurality of stored parameters relating to operation of the solid state switches ((col. 10:38-11:25, 11:50-61, 16:6-59, 17:59-18:15).

In response to applicant's argument that Farag et al do not teach solid state switches, Farag et al teach triacs to control power to the motor (fig 1:105-108; fig 3:TR1-TR3, col. 16:6-26 triacs may be used).

In response to applicant's argument that Farag et al do not teach the information entered being parameters related to operation of the solid state switches, Farag et al teach and means (127, col. 10:38-60,SCI) operatively associated with the programmed processor (123) and the external configuration device (125) for transferring a configuration database file between the controller memory (123) and the external device memory (125) the configuration database file comprising a plurality of the stored parameters relating to operation of the solid state switches (col. 10:38-11:25, 11:50-61, 16:6-59, 17:59-18:15, program/operating code controlling the switches, col. 16:50-60).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RENATA MCCLOUD whose telephone number is (571)272-2069. The examiner can normally be reached on Mon.- Fri. from 5:30 am - 2pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Benson can be reached on (571) 272-2800 ext. 37. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Renata McCloud/
Examiner, Art Unit 2837

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/Walter Benson/

Supervisory Patent Examiner, Art Unit 2837